

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
July 27, 2010

The City Council convened in Special Session on Tuesday, July 27, 2010, at 6:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Michael Klinghammer presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Bob Kneemiller, Larry Muench, Bridget Ohmes, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: Laurie Feldman. City Clerk, Marilyn K. McCoy, was present and performed the duties of that office. File #47279

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

BILLS FOR INTRODUCTION

The following Council Bills were introduced.

Bill 10258

An Ordinance Authorizing a Cooperation Agreement Between the City of St. Charles and the Foundry Art Centre for Cable Programming, Telecast and Related Matters (*Sponsor: Ron Stivison*)

Bill 10259

An Ordinance Authorizing Supplemental Agreement No. 4 to the Engineering Services Contract with HDR/Archer Engineering for the Missouri Wastewater Treatment Plant Improvements in an Amount of \$45,903.00, for a Total Contract Amount Not to Exceed \$1,546,026.00 (*Sponsor: Michael Klinghammer*)

Bill 10260

An Ordinance Approving the Record Plat for Streets of St. Charles, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 10261

An Ordinance Approving the Record Plat for The New Town at St. Charles Plat Six-I, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 10262

An Ordinance Approving a Settlement Agreement with T-Mobile (*Sponsor: Michael Klinghammer*)

Councilmember Dave Beckering requested that Administration consider placing the revenue derived from the Settlement Agreement in the Reserve Account to help defray the cost of the water and sewer rate increases.

Mayor Patricia M. York inquired whether the Council would like to explore the City participating in a joint lawsuit against some cell phone companies who are charging their customers to recover the settlement cost. Councilmember Richard Veit, as President of the St. Charles County Municipal League, offered to inquire whether the League is considering a joint lawsuit similar to the joint lawsuit being explored by the St. Louis County Municipal League.

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Bill 10263 (*Amended Prior to Introduction*)

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with R.T. Weiler's for the Construction, Operation and Maintenance of a Sidewalk Café Located at 201 North Main Street (*Sponsor: Richard Veit*)

A motion was made by RICHARD VEIT to amend Council Bill 10263 with the revised Exhibit B indicating the location of the sidewalk café. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed. Discussion was held relative to the placement of sidewalk cafes in the colonnade; including walking space of 5' space between the proposed sidewalk cafes, the recommendation of Staff that a 10' walking space be maintained, the elimination of certain seating areas in the colonnade, and the recommendation from the Landmarks Board. The following items were requested prior to Council's consideration of Council Bill 10263:

- Mark the area for the proposed sidewalk café prior to the August 3, 2010, Regular Council Meeting to enable the Councilmembers to view the proposed area
- Provide a clearly delineated map indicating the current sidewalk cafe area and the proposed sidewalk café areas
- Landmarks Board recommendation
- Review by the Fire Department relative to emergency access

Bill 10264 (*Amended Prior to Introduction*)

An Ordinance Repealing Ordinance Number 10-85 and Enacting a New Ordinance Authorizing a Right-of-Way Encroachment License Agreement with Quintessential Hospitality Group, LLC, for the Construction, Operation and Maintenance of a Sidewalk Café Located at 149 North Main Street (*Sponsor: Richard Veit*)

A motion was made by RICHARD VEIT to amend Council Bill 10264 with the revised Exhibit B indicating the location of the sidewalk café. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed. Discussion was held relative to the placement of sidewalk cafes in the colonnade; including walking space of 5' space between the proposed sidewalk cafes, the recommendation of Staff that a 10' walking space be maintained, the elimination of certain seating areas in the colonnade, and the recommendation from the Landmarks Board. The following items were requested prior to Council's consideration of Council Bill 10264:

- Mark the area for the proposed sidewalk café prior to the August 3, 2010, Regular Council Meeting to enable the Councilmembers to view the proposed area
- Provide a clearly delineated map indicating the current sidewalk café area and the proposed sidewalk café areas
- Landmarks Board recommendation
- Review by the Fire Department relative to emergency access

MISCELLANEOUS ITEMS

Request for Authorization to Negotiate with M3 Engineering Group, PC for Cole Creek Droste to Ruth Creekbank Stabilization Project

A request was made by Vice President of the Council Dave Beckering that a project timeline, a Gant Chart, and the method for managing the Project be provided to the Council prior to entering into a contract for the Cole Creek (Droste to Ruth) Creekbank Stabilization Project. A motion was made by JERRY REESE to approve the request for authorization to negotiate with M3

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Engineering Group, PD for Cole Creek (Droste to Ruth) Creekbank Stabilization Project. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: Feldman. Motion passed.
File #47437

Approval of First Renewal Contract with Sprint Solutions, Inc. for City-Wide Cellular Phone Service and Equipment in an Amount not to Exceed \$74,475.00

Upon the request of Councilmember Bob Kneemiller, Director of Administrative Michael Spurgeon and Community Relations Liaison Matthew Seeds outlined the additional information provided in the Supplemental RCA. A motion was made by JERRY REESE to approve the First Renewal Contract with Sprint Solutions, Inc. for City-Wide Cellular Phone Service and Equipment in an amount not to exceed \$74,475.00. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: Feldman. Motion passed.
File #47438

Approval of First Renewal Contract with AT&T Mobility National Accounts, LLC for City-Wide Cellular Phone Service and Equipment in an Amount not to Exceed \$31,550.00

Upon the request of Councilmember Bob Kneemiller, Director of Administrative Michael Spurgeon and Community Relations Liaison Matthew Seeds outlined the additional information provided in the Supplemental RCA. A motion was made by JERRY REESE to approve the First Renewal Contract with AT&T Mobility National Accounts, LLC for City-Wide Cellular Phone Service and Equipment in an amount not to exceed \$31,550.00. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: Feldman. Motion passed.
File #47439

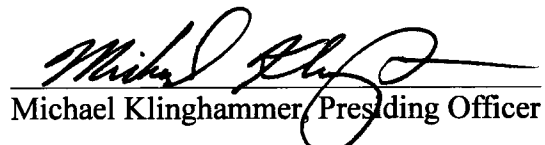
Request to Fill Two Vacant Positions in the Fire Department

A motion was made by JERRY REESE to approve the request to fill two vacant positions in the Fire Department. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: Feldman. Motion passed.
File #47440

The Special Council Meeting was adjourned at 6:55 p.m.

August 17, 2010
Date Approved


City Clerk


Michael Klinghammer, Presiding Officer